

Exhibit 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

* * * * *
RUBY FREEMAN, et al.,) Civil Action
Plaintiffs,) No. 21-3354
vs.)
)
RUDOLPH GIULIANI,) December 12, 2023
) 9:03 a.m.
Defendant.) Washington, D.C.
* * * * *

*** Morning Session ***
TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE BERYL A. HOWELL,
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

FOR PLAINTIFFS: MICHAEL GOTTLIEB
MERYL CONANT GOVERNSKI
ANNIE HOUGHTON-LARSEN
AARON NATHAN
Willkie Farr & Gallagher LLP
1875 K Street, Suite 100
Washington, DC 20006
(202) 303-1016
Email: mgovernski@willkie.com

VON A. DuBOSE
DuBose Miller
75 14th Street NE
Atlanta, GA 30309
(404) 720-8111
Email: miller@dubosemiller.com

JOHN LANGFORD
Protect Democracy
555 W. 5th Street
Los Angeles, CA 90013
(919) 619-9819
Email: john.langford@protectdemocracy.org

(Appearances Continued)

APPEARANCES: (Continued)

FOR DEFENSE: JOSEPH D. SIBLEY, IV
Camara & Sibley LLP
1108 Lavaca Street
Suite 110263
Austin, TX 78701
(713) 966-6789
Email: sibley@camarasibley.com

Court Reporter: ELIZABETH SAINT-LOTH, RPR, FCRR
Official Court Reporter
Washington, D.C. 20001

Proceedings reported by machine shorthand.
Transcript produced by computer-aided transcription.

Excerpted

1 MR. LANGFORD: Your Honor, plaintiffs call
2 Plaintiff Wandrea ArShaye' Moss.

3 THE COURT: Ms. Moss, please step forward.

4 (WANDREA ARSHAYE' MOSS, Plaintiff, sworn.)

5 THE COURT: Good morning.

6 THE WITNESS: Good morning.

7 THE COURT: Ms. Moss, just move that microphone
8 towards you, and you can stretch it out -- it's quite
9 flexible -- because we want to make sure we hear you.

10 All right. Please proceed.

11 DIRECT EXAMINATION

12 BY MR. LANGFORD:

13 Q. Good morning.

14 A. Good morning.

15 Q. Ms. Moss, could you please introduce yourself to the
16 jury?

17 A. Good morning, jury. My name is Wandrea ArShaye' Moss.

18 Q. Could you tell us a little bit about yourself?

19 A. I am -- I am 39 years old. I am a proud Georgia
20 resident, college graduate, a mother and former election
21 worker, registration officer.

22 Q. Okay. We are about to start. Are you ready?

23 A. Yes.

24 Q. Ms. Moss, does November 3, 2020, mean anything to you?

25 A. November 3, '20 -- no. It was -- that was the day of

1 the presidential election in 2020.

2 Q. And what were you doing that day?

3 A. Working.

4 Q. Where were you working?

5 A. I was working at State Farm Arena for Fulton County
6 Registration and Elections Office.

7 Q. And how long had you worked for Fulton County
8 Registrations and Elections Office?

9 A. Since 2012.

10 Q. What was your role when you started in 2012?

11 A. When I started, I was a temporary worker. My title then
12 was records and documents clerk. And I started in the mail
13 room, opening and sorting all the mail for the department.

14 Q. Did you work in the mail room the whole time?

15 A. Yes. That was always one of my tasks, even once I
16 became permanent, yes.

17 Q. When you started, were you assigned to a particular part
18 of the department?

19 A. Yes, sir. I worked in registrations.

20 Q. And what does registrations do?

21 A. Basically, the registration side of the department, we
22 are the ones that deal with the voters. We do everything
23 that the voters require from changing the spelling of your
24 name to sending absentee ballot to someone that can't make
25 it to the polls.

1 Q. How many years did you work as a temporary election
2 worker?

3 A. Five years.

4 Q. And what happened next?

5 A. Then I was hired as a permanent worker.

6 Q. How did that feel?

7 A. When I was hired, it felt great. I worked really hard
8 for that position, so I was -- I was so excited, I -- I
9 literally dropped to my knees and cried in front of
10 everyone.

11 Q. Why did you cry?

12 A. Because I worked really hard, you know, from learning
13 everything that I needed to do in order to become a
14 permanent worker. I mean, it was like, you know, winning
15 the golden ticket with Willy Wonka. Like, I was just so
16 proud of myself that -- that I was able to become a
17 permanent employee.

18 Q. When you were hired as a permanent employee, were you
19 hired into a particular department?

20 A. Yes. I was hired on the registration side.

21 Q. Did your role and responsibilities change?

22 A. Yes. As a temporary worker you basically come in and
23 you assist the permanent employees with whatever tasks that
24 they might have.

25 I didn't know at the time, but once you become

1 permanent they don't just have one task. A permanent
2 employee has many tasks, and now I am the one that is
3 getting temporary workers to come and assist me with my
4 tasks.

5 Q. Did you like your job?

6 A. No. I did not like my job because I loved my job. I
7 loved my job so much.

8 Q. Why did you love your job?

9 A. Well, first of all, the main -- one of the reasons that
10 even got me to try to pursue this job is because I knew that
11 it would make my grandmother proud. Growing up all of my
12 life hearing stories about how, as a black woman, a lot of
13 the women before me in my family did not have that right.
14 And just as a woman, period, there was a time when women did
15 not have that right.

16 And I knew my grandmother enjoyed, like, telling
17 her friends at the senior center, you know, that her
18 grandbaby is helping with the election, and it made her
19 proud.

20 But the second thing I liked about my job is -- is
21 the absentee. So with absentee, the mail-in ballots, that
22 is for the elderly, the disabled; people living permanently
23 overseas, the military overseas, people away at college,
24 basically anyone unable to come to the polls. And I really
25 enjoyed helping them exercise that right when they were in a

1 position feeling like they won't be able to vote because
2 they can't make it, and I like coming through for them and
3 helping them.

4 Q. You mentioned your grandmother. Can you tell us a
5 little bit about her?

6 A. My grandmother is a short, little, sweet but feisty
7 little lady. She's very, like, into helping and into the
8 neighborhood. She goes to the different pantries around the
9 city to get food and deliver it to other people who might
10 need food who couldn't go to the pantry. She is very
11 educated. She is a retired county worker herself. She is,
12 like, the best grandmother ever.

13 Q. And you said that you enjoyed absentee the most. Is
14 there a particular type of voter that you most enjoyed
15 helping?

16 A. Yes. The elderly, disabled, the ones that are in the
17 retirement homes. You know, they were devastated, a lot of
18 them, once they realized that they're confined to this
19 retirement home, their license has been taken away, they
20 won't be able to make it to the polls. I enjoy not only,
21 like, saying: Don't worry about it, I can send you an
22 absentee application. I will highlight all the parts that
23 you need to fill out. I will give you my card in the
24 envelope as well. We going to pay for postage. If you need
25 help, call me.

1 And also, I would say: Well, how many other
2 people do you think that would -- you know, are in that
3 situation that might need application, and I would like
4 to -- I would send the applications in bulk to the -- the
5 different retirement homes and the senior centers so, you
6 know, they would feel a part of this process, too. Because
7 sometimes they're kind of forgotten because now everything
8 is online, sending email or, like, you know -- they don't
9 want to do that. They want to talk to someone, they want to
10 go to the mailbox, you know, how it used to be. So I enjoy
11 it. I enjoy doing that for them.

12 Q. Did you make friends at work?

13 A. Yes. They were more like family, though; we were -- we
14 were family at work.

15 Q. And why is that?

16 A. Because we -- we worked so many hours. During election
17 time we worked 7:00 to 7:00, seven days a week. And we
18 spent more time with them than our real family, celebrate
19 our kids' birthdays together, holidays together, like,
20 outside of the workplace together. Seemed like we were
21 always working, so they became like family.

22 Q. Were you working during the COVID-19 pandemic?

23 A. Yes, sir. The entire pandemic.

24 Q. Did things change?

25 A. As far as the workload on our absentee side, yes. It

1 changed drastically.

2 Q. And why was that?

3 A. Well, like I said before, usually it's just like the
4 elderly, disabled, people overseas, and college students.

5 So a lot of times when people are celebrating on TV, whoever
6 won the election, we're still in there counting for days
7 because, you know, usually the polls will hit that -- you
8 know, over 51 percent and find the -- find the winner, but
9 during the pandemic, no one wanted to go to the polls, so
10 everyone voted absentee.

11 Q. You said you worked the 2020 presidential election?

12 A. Yes.

13 Q. What was your role during that election?

14 A. The 2020 presidential election, I was interim absentee
15 super- supervisor.

16 Q. What is an interim absentee supervisor?

17 A. Basically it's a temporary position that they created at
18 that time because of the -- the volume of work that we had,
19 so that's what I was.

20 Q. How did you feel in that position going into Election
21 Day?

22 A. I was proud. I was proud. I was excited. I was ready
23 to get started.

24 Usually, I am just a part of the team, just
25 helping. So I was excited to be in charge and able to get

1 my team and teach everyone how to use everything; all of the
2 rules, the law, the code book, everything. I -- it was all
3 on me, and I knew I could do it.

4 Q. Were the rules important to you?

5 A. Very, very important. Every -- every employee has a
6 copy of the election code book, and we have to take so many
7 oaths and everything goes according to that book; so, yes,
8 I -- I learned that from the mail room, that this is -- this
9 is very important, these are the codes, and these are --
10 these are the rules that we have to follow. There's no
11 question about it.

12 Q. And you said before you were stationed at State Farm
13 Arena. What is State Farm Arena?

14 A. It is the basketball arena. It's where the -- the Hawks
15 play, the Atlanta Hawks.

16 Q. Was Election Day a long day?

17 A. Yes, very long day.

18 Q. How did that election go?

19 A. The election went well. I was so proud of myself and my
20 team, everything was great. All our numbers -- like,
21 everything was great.

22 Q. What do you mean "numbers"?

23 A. Our numbers -- our numbers were good. Like, so in the
24 mail room, we are responsible of -- mailing out the ballots,
25 so we're responsible for receiving the ballots. And once

1 the cutoff date to -- like, once Election Day, basically, is
2 the last day you can send in the ballots, the number that I
3 have received needs to be the same number that is on the
4 scanners collectively and also needs to be the same numbers
5 of the physical ballots with the physical envelopes to
6 match, all the numbers the same, that's -- yeah, it's very
7 important.

8 Q. You said it all -- your numbers were what for the 2020
9 presidential election?

10 A. Perfect.

11 Q. Was that your first presidential election as a
12 supervisor?

13 A. As a supervisor, yes.

14 Q. And how did that -- how did you feel at the end of the
15 election?

16 A. I was proud. I was -- I was so proud. I knew I made my
17 supervisor proud. I knew everyone was -- you know, we did
18 great. We -- you know, I heard it all around, that, you
19 know, it was a great election and they were proud of us.

20 Q. Ms. Moss, does December 4, 2020, mean anything to you?

21 A. Yes. Yes. December 4, 2020, was the last day I was
22 this bubbly, outgoing, happy Shaye'. That was the day that
23 everything changed. Everything in my life changed; the day
24 that I changed. The day that every -- everything just
25 flipped upside down.

1 Q. And briefly, what happened that day?

2 A. On that day lies were spread about me and my mom, saying
3 that we weren't doing our job, we were committing fraud and
4 all these -- just all these crazy lies were spread about us
5 on that day, publicly, everywhere.

6 Q. So take us through that day. Do you remember what day
7 of the week it was?

8 A. December 4th was a Friday in 2020.

9 Q. You woke up that Friday. What did you do?

10 A. I woke up, my normal routine, got ready for work, headed
11 off to work.

12 Q. What time did you get to work?

13 A. At 8:00 a.m.

14 Q. What did you do that morning?

15 A. It was a normal morning. I went to my office, you know,
16 go through security, walked into our registration side,
17 spoke to everyone, like -- made coffee, told everyone the
18 coffee is ready, sat in my cubicle, checked my email, made
19 sure my phone was on ready, and got ready to start the day.

20 Q. And then what happened?

21 A. And then we worked. We were preparing for another
22 election coming up, so it was -- we just worked, had a
23 lunch, and worked some more.

24 Q. And then what happened?

25 A. Towards the end of the day -- towards the end of the

1 day, it was like buzz around the office because the director
2 was on our side. When he comes to our side, everyone knows,
3 so everyone is excited. You know, we all heard that the
4 director was on our side.

5 And my chief, Mr. Jones, came to my cubicle and he
6 said he wanted to see me in his office. You know, of
7 course, everyone could hear, and they're all looking at me
8 and hanging out the cubicles and smiling and, you know,
9 giving me the thumbs up. And I head into his office.

10 Q. You said "our side." What do you mean "our side"?

11 A. On the registration side.

12 Q. Side of what?

13 A. On the registration side of the Voter Registration and
14 Elections Department.

15 Q. Got you.

16 So the building?

17 A. Yeah. On -- in our department one side is the elections
18 division, and then there is like the front desk; and then
19 the other side is where all the registration offices and
20 everyone is.

21 Q. And you said people were giving you the thumbs up. What
22 were you thinking?

23 A. I mean, I have never missed an election since 2012, so I
24 know how it goes. Usually after election we'll have, like,
25 a big potluck, and sometimes they'll give plaques and

1 just -- taking the time out to, you know, give thanks and
2 give kudos to the people who are actually away from the
3 office tabulating the ballots.

4 But I'm thinking, like, maybe the least I will
5 get, you know, the plaque and noticed; my team, you know,
6 get noticed. But the main thing that I was thinking -- I am
7 going to get this position that they created for me that I
8 worked all the pandemic, the interim absentee supervisor;
9 that's what I was thinking.

10 Q. So you go into the office. What happened?

11 A. I go into the office. And I have to close the door
12 behind me, and I notice I am the only one cheesing and
13 looking happy. And then I am shown these videos, these
14 lies, these -- everything that's been going on that I had no
15 clue about.

16 Q. I want to show you our first exhibit.

17 MR. LANGFORD: Your Honor, I'm confirming that
18 Plaintiff's Exhibit 237 has been admitted into evidence.

19 THE COURT: Is that from yesterday?

20 MR. LANGFORD: Yes, Your Honor. I'm sorry. There
21 will be a few of those.

22 THE COURT: Okay. Yes.

23 Any objection, Mr. Sibley?

24 MR. SIBLEY: I'm sorry. Which exhibit number,
25 again, Your Honor?

1 MR. LANGFORD: 237.

2 MR. SIBLEY: No objection, Your Honor.

3 MR. LANGFORD: Mr. Spalding, can we pull that up
4 and publish it to the jury?

5 (Whereupon, an exhibit was published.)

6 BY MR. LANGFORD:

7 Q. Ms. Moss, it will be in your binder and on your screen.

8 Ms. Moss, what is the date of this tweet?

9 A. December 3, 2020.

10 Q. Have you watched the video?

11 A. Yes, sir.

12 Q. When did you first see this?

13 A. In Mr. Jones' office with Mr. Jones and Mr. Barron.

14 Q. The video in this tweet is Plaintiffs' Exhibit 560,
15 which we just admitted into evidence.

16 MR. LANGFORD: I would like to publish that to the
17 jury now.

18 THE COURT: Yes, you may publish.

19 MR. LANGFORD: Mr. Spalding, can you pull this up.
20 And for the record, we're just going to play a clip of it,
21 which is time-marked 000 to the 36-second mark.

22 (Whereupon, an exhibit was published.)

23 BY MR. LANGFORD:

24 Q. And, Ms. Moss, who is the woman in blond braids?

25 A. That is me. That's me.

1 Q. If we look at 237, which is behind 560, do you see where
2 Mr. Giuliani says: Watch. Video footage from Georgia shows
3 suitcases filled with ballots pulled from under a table
4 after supervisors told poll workers to leave room and four
5 people stayed behind to keep counting votes.

6 Is that what people were seeing in the video
7 showed?

8 A. Yes.

9 Q. Is that true?

10 A. No.

11 Q. Were those even suitcases?

12 A. No.

13 Q. Who are the supervisors he is referring to?

14 A. Me.

15 Q. What does the video actually show?

16 A. The video shows us working very hard to make sure every
17 vote is counted.

18 Q. Sitting in your supervisor's office watching this on
19 December 4th, what were you thinking?

20 A. I didn't know what to think. I was so confused and
21 shocked and -- I didn't know what to think. I was
22 dumbfounded.

23 Q. Did you learn anything in your supervisor's office?

24 A. Yes. I learned that I had been receiving all types of
25 hateful, racist, violent, nasty, negative messages, yeah.

1 Q. Ms. Moss, could you turn to Plaintiffs' Exhibit 268 in
2 your binder.

3 A. (Witness complied.)

4 MR. LANGFORD: Your Honor, Plaintiff's Exhibit 268
5 has been admitted into evidence.

6 Mr. Spalding, could you please pull that up and
7 publish it to the jury.

8 (Whereupon, an exhibit was published.)

9 BY MR. LANGFORD:

10 Q. Ms. Moss, what are we looking at?

11 A. The messages that I was just speaking of.

12 Q. Who is ArShaye'?

13 A. That's me. That's my middle name.

14 Q. Do you know this person messaging you?

15 A. No.

16 Q. What's the date of these messages?

17 A. December 4, 2020.

18 Q. I want to direct your attention to where this person is
19 accusing you of treason, treasonous acts.

20 What did you understand "treason" meant?

21 A. That -- threats -- I had no clue. I didn't know what it
22 meant. I thought it was just some old-time words from
23 like -- I don't know. I was thinking about like maybe Paul
24 Revere. I don't know, Bridgerton or some type of stuff. I
25 didn't know what it was, I just know it was, like, an older

1 word. I didn't know, like, what it exactly meant.

2 Q. Did you try to learn what "treason" meant?

3 A. No. I was not -- that was not my thought, to learn what
4 it meant. I just wanted to know if whatever that was, can
5 people just think I did that and hang me. Like, they kept
6 telling me that it's punishable by death, and they can --
7 they can hang me, they can hang my mom; that was my -- that
8 was concern.

9 Q. Looking at your phone that day, how many -- do you know
10 how many messages you had received?

11 A. It's too many to count. I don't -- I don't know.

12 MR. LANGFORD: Okay. Let's take that down.

13 BY MR. LANGFORD:

14 Q. What was the rest of your workday like?

15 A. Well --

16 MR. SIBLEY: Your Honor, objection. Vague as to
17 the day that he is referring to. Is it December 4th? I am
18 just not sure which day she's referring to, the question.

19 THE COURT: You can just clarify that in your
20 question.

21 MR. LANGFORD: Sure.

22 BY MR. LANGFORD:

23 Q. What was the rest of your workday like on December 4th?

24 A. On December 4th, that same day, after I left out of the
25 office and everything, it was -- I was just confused. I

1 was, like, immediately fearful from reading all of these
2 things. I went back to my cubicle. No one was smiling. No
3 one, like -- it was just a total flip, like, a total change.
4 I was trying to work, but I could not concentrate. I was
5 looking -- I was looking at the messages. I was reading
6 them. I was trying to figure out what and why and -- and,
7 like -- it didn't make sense, any sense at all.

8 Q. Were people still talking about you that evening,
9 December 4, 2020?

10 A. Yes.

11 Q. I am going to show you our next exhibit.

12 MR. LANGFORD: Your Honor, this is Plaintiffs'
13 Exhibit 251, which has been admitted into evidence.

14 Mr. Spalding has pulled it up, if we could publish
15 that to the jury.

16 THE COURT: 251?

17 MR. LANGFORD: 251.

18 THE COURT: Yes. It's been admitted. It can be
19 published.

20 (Whereupon, an exhibit was published.)

21 BY MR. LANGFORD:

22 Q. Ms. Moss, this is a December 4, 2020, episode of
23 Mr. Giuliani's show, which he called *Common Sense*. We're
24 not going to watch the whole episode, but just two seconds.

25 So for the record, we're first going to watch

1 Plaintiffs' Exhibit 251 from 9 minutes and 43 seconds to 10
2 minutes and 19 seconds.

3 THE COURT: And what's the date of this?

4 MR. LANGFORD: This is from December 4, 2020.

5 THE COURT: And where is *Common Sense*? I mean,
6 how do you access that? Is it on television? What is it?

7 MR. LANGFORD: It's on Rumble. It's on
8 rudyiulianics.com. It was often --

9 THE COURT: So it's only online?

10 MR. LANGFORD: As far as I know, this was only
11 online.

12 THE COURT: Okay. I think it's important for the
13 jury to understand access, where these things are accessed.
14 When we see something that says "television," you know, Fox
15 News, we know how it's accessible; but other things, I think
16 it's important to be clear how it's accessible.

17 Okay. Proceed.

18 (Whereupon, an exhibit was published.)

19 MR. LANGFORD: For the record, we're now going to
20 watch Plaintiffs' Exhibit 251 from 18 minutes and 44 seconds
21 to 18 minutes and 50 seconds.

22 (Whereupon, an exhibit was published.)

23 BY MR. LANGFORD:

24 Q. Ms. Moss, what's your reaction watching that video?

25 A. My reaction is: How can someone with so much power go

1 public and talk about things that he obviously has no clue
2 about? It's -- I mean, it's just obvious that it's lies.
3 And my reaction is -- is, like, it's hurtful. It's untrue.
4 It's unfair.

5 Q. Ms. Moss, is any of it, what he said, true?

6 A. No. Nothing he said was true.

7 Q. What did the video that he's talking about actually
8 show?

9 A. It showed us working.

10 Q. So what was the night of December 4, 2020 like?

11 A. Well, it was just a lot of confusion, a lot of fear.

12 I have to walk about three blocks from my job to
13 the parking lot, and I was just afraid from -- from hearing
14 all of the violent things that people were saying that they
15 want to do or have the right to do. I had to go home and --
16 and sit with that and -- and continue to read them as they
17 come in. It was -- it was a lot of -- it was very
18 emotional. I felt lost. I felt confused. I was a mess.

19 Q. You said messages were still coming in?

20 A. Yes.

21 MR. LANGFORD: Your Honor, I'm confirming that
22 Plaintiffs' Exhibit 128 has been admitted into evidence.

23 THE COURT: Mr. Coates, has it been admitted?

24 THE COURTROOM DEPUTY: Yes, it has, Your Honor.

25 THE COURT: Okay. It may be published.

1 (Whereupon, an exhibit was published.)

2 BY MR. LANGFORD:

3 Q. Ms. Moss, this is a December 4th message to your
4 Facebook Messenger. We'll let everyone read this message
5 for themselves.

6 Is this the kind of message you were getting that
7 night?

8 A. Yes.

9 MR. LANGFORD: Your Honor, I would like to confirm
10 that Plaintiffs' Exhibit 124 has been admitted into
11 evidence.

12 THE COURT: And, Mr. Coates?

13 THE COURTROOM DEPUTY: It's admitted, Your Honor.

14 THE COURT: It has been admitted?

15 THE COURTROOM DEPUTY: Yes.

16 THE COURT: Okay. It has been admitted; it may be
17 published.

18 MR. LANGFORD: Let's publish this to the jury.

19 (Whereupon, an exhibit was published.)

20 BY MR. LANGFORD:

21 Q. Ms. Moss, what is this?

22 A. It's more messages. It's more messages to my Facebook.

23 Q. What's the date on all of these?

24 A. December 4, 2020.

25 Q. Can you read that top message?

1 A. "Be glad it's 2020 and not 1920."

2 Q. Do you remember this?

3 A. I will never forget it.

4 Q. How do you feel -- how did you feel reading that?

5 A. It was hurtful. I mean, everybody knows exactly what a
6 black woman would be doing in 1920. I mean, it's -- it's
7 hurtful. It's hurtful that that's the way these people feel
8 that -- I'm, like, breaking my back to make sure their vote
9 counts. It's just hurtful.

10 MR. LANGFORD: Okay. We can take that down.

11 BY MR. LANGFORD:

12 Q. That was all Friday, December 4, 2020?

13 A. Yes, sir.

14 Q. What did you do after that?

15 A. Well, on -- on Saturday, December 5th, the following
16 day, I -- I went into my hair salon, and I asked my stylist
17 to make it so that the same person that she just saw walk in
18 here is not the same person that's about to leave. I asked
19 her to just cut my hair, and I died it, like, this
20 strawberry-blondish color.

21 MR. LANGFORD: Your Honor, Plaintiffs' Exhibit 556
22 has been admitted into evidence.

23 THE COURT: Which number?

24 MR. LANGFORD: 556.

25 THE COURT: Yes. It may be published.

1 MR. LANGFORD: We will publish this to the jury.

2 (Whereupon, an exhibit was published.)

3 BY MR. LANGFORD:

4 Q. Ms. Moss, do you recognize this photo?

5 A. Yes, sir.

6 Q. What is this?

7 A. That's a picture that I took on Election Day, 2020,
8 coming back from lunch.

9 MR. LANGFORD: Your Honor, Plaintiffs' Exhibit 557
10 has also been admitted into evidence.

11 THE COURT: Yes. It may be published.

12 MR. LANGFORD: Let's publish that beside 556.

13 (Whereupon, an exhibit was published.)

14 BY MR. LANGFORD:

15 Q. Ms. Moss, do you recognize this photo?

16 A. Yes.

17 Q. What is this?

18 A. That's me the very next day, the puffy face from crying
19 all night. That's me.

20 Q. Why did you change your hair?

21 A. Because everyone knew -- everyone knew who I was. They
22 were, like, saying my whole government name, nickname, momma
23 name. Like, everyone knew who I was. Everyone knew where I
24 worked. Everyone knew, you know, everything. And -- and
25 people aren't afraid to come up to you and -- and, you know,

1 accuse you of the lies that they have heard.

2 I was afraid for my life. Like, I literally felt
3 like someone is going to come and attempt to hang me, and
4 there is nothing that anyone will be able to do about it.

5 MR. LANGFORD: Okay. We can take this down.

6 BY MR. LANGFORD:

7 Q. Were people continuing to talk about you around
8 Christmas?

9 A. Yes.

10 Q. I would like to show you another exhibit.

11 MR. LANGFORD: Your Honor, Plaintiffs' Exhibit 006
12 has been admitted into evidence.

13 THE COURT: Mr. Coates?

14 THE COURTROOM DEPUTY: Yes, Your Honor.

15 THE COURT: It may be published.

16 MR. LANGFORD: And, Your Honor, we will watch a
17 clip of this video, which is an episode of Mr. Giuliani's
18 show *Common Sense*, again, which is available on
19 Rudygiulianics and Rumble and other online platforms. This
20 aired on Christmas Day, 2020. And for the record, the clip
21 we will watch is from 28 minutes and 31 seconds to
22 29 minutes and 31 seconds.

23 (Whereupon, an exhibit was published.)

24 BY MR. LANGFORD:

25 Q. Was any of that true?

1 A. No.

2 Q. Did you create a false story that there was a water main
3 break?

4 A. No, I didn't.

5 Q. Did you get everybody out and check to make sure there
6 was nobody in the room before scanning ballots?

7 A. No. No. Never.

8 Q. Did you count ballots multiple times?

9 A. No.

10 Q. Did you steal the election?

11 A. No, sir.

12 Q. What does the video actually show?

13 A. It showed us working, same procedure that I have done
14 for years, just working.

15 MR. LANGFORD: We can take that down.

16 BY MR. LANGFORD:

17 Q. That was Mr. Giuliani's Christmas Day show, 2020.

18 How were the holidays that year?

19 A. That was the worst Christmas that I have ever had.

20 Q. After Christmas 2020, did you have to go back to work?

21 A. Yep. That next Monday.

22 Q. That was hard for you to say. Why was that hard?

23 A. Because I just -- in the midst of all of this, my goal
24 was still to make sure that everything was ready for our
25 next election and everything went smoothly, that everyone

1 knew their tasks. Like, I was still -- I was still working
2 hard.

3 Q. So in the midst of this, you went back to work. Was
4 anything coming up?

5 A. Yes. I had an election in January.

6 Q. Do you remember when that was scheduled for?

7 A. Yes, sir. January 5, 2021.

8 Q. How was it dealing with going back to work?

9 A. I mean, I was terrified. I had so many emotions going
10 on, but I care for the voters, so I was ready. I was ready
11 for another election.

12 Q. You said the election was scheduled for January 5, 2021?

13 A. (Nodding affirmatively.)

14 Q. Did things return to normal after that?

15 A. Things never returned to normal.

16 Q. How would you briefly sum up what's happened to you
17 since then?

18 A. I mean, every single aspect of my life has changed. I
19 am literally not even that same person that was smiling on
20 those selfies. Like, everything has changed. Everything is
21 turned upside down. Everything is -- is different.

22 Q. Ms. Moss, are you still working at the Fulton County
23 Department of Elections and Registrations?

24 A. No.

25 Q. When did you leave?

1 A. I left in April 2022.

2 Q. And how old were you when you left?

3 A. Thirty-eight.

4 Q. Had you ever planned on leaving?

5 A. No. No. I wanted to -- I wanted to retire as a county
6 worker, like my grandma, make her proud, and my mom proud,
7 but I didn't make it.

8 MR. LANGFORD: Your Honor, Plaintiffs' Exhibit 588
9 has been admitted and contains factual stipulations to which
10 the parties agree. For the record, the parties have
11 stipulated that for the years 2013 to 2021 Ms. Moss's pretax
12 income was \$259,953; and that includes \$36,961, which was
13 pretaxed income for 2021.

14 BY MR. LANGFORD:

15 Q. Ms. Moss, you told us that when you walked into your
16 supervisor's office on December 4th, you were hoping for a
17 promotion. Did you ever get that promotion?

18 A. Nope.

19 Q. Why do you think you didn't get that promotion?

20 A. I don't know. I don't know why they wouldn't give me
21 the -- the job when I was the first person in that position
22 interim, when I was just doing it the year before. Like, I
23 don't know why I didn't get the job; but I still had to
24 write standard operating procedure so that the new person
25 can know their job. I still had to step in and help when

1 they needed me. It was basically, like, you know, I know
2 you didn't do anything wrong, but it's the way it looks, so
3 I was like put in the back, answer the phone, help what we
4 need, and shut up.

5 Q. Did there come a time when the elections department was
6 reorganized in 2021?

7 A. Yes. Right away. Usually absentee is just a task.
8 Most of the times whoever works in the mail room, you are
9 going to be on the absentee -- absentee team, that's going
10 to be one of your tasks because you are getting the ballots
11 every day in the mail, and you are keeping up with the daily
12 counts, sending them to the Secretary of State, you are
13 giving them credit for voting and -- so that was just a task
14 that usually -- for elections. You know, they're all year.
15 So you would have that task when it's time for elections.

16 But after all this, they decided to take absentee
17 and make it an entire department. They hired a director,
18 they hired a chief, they hired a supervisor, a manager, and
19 absentee officers.

20 Q. Did you apply to work there?

21 A. For sure, yes.

22 Q. Did you get hired to work there?

23 A. No.

24 Q. Did you learn why?

25 A. I was just under the impression that I would never touch

1 another ballot again.

2 Q. Why were you under that impression?

3 A. Because I was basically told as much. Because they
4 didn't hire me; that -- that's why. But they needed me to
5 teach the new people that were hired to make more than me in
6 that position. It's kind of obvious.

7 Q. And who did get the job?

8 A. Other people that I trained.

9 Q. How did it feel?

10 A. It felt like a slap in the face. I mean, I have always
11 done absentee. I started off doing absentee, that's why I
12 was so good at it. I didn't bounce around to help, you
13 know, different permanent workers. I enjoyed that, and I
14 wanted to know where does the mail go? What do you do?
15 Where -- how does this work? And I worked my way up until I
16 learned it.

17 And so it was -- it was a slap in the face. You
18 know, I felt that I am being judged and my job is taken away
19 from me, the things that I love is taken away because --
20 because of the lies; and that -- that have been debunked,
21 but they are powerful people.

22 Q. Were you angry?

23 A. Yes. I was angry. I was hurt. I was still confused.
24 And I was -- I was still fearful of everything, everything
25 about it.

1 Q. Did this impact your work in other ways?

2 A. Yes. Yes, it did.

3 (Whereupon, electronic difficulties were
4 addressed, and a recess was taken.)

5 THE COURT: Ms. Moss, can you resume the stand.

6 (Whereupon, the jury returns to the courtroom.)

7 THE COURT: All right. Please proceed.

8 MR. LANGFORD: Thank you, Your Honor.

9 BY MR. LANGFORD:

10 Q. Ms. Moss, you had just told us that you were angry about
11 not being able to work at the absentee -- the new absentee
12 department. And the question we left off on is: Did this
13 impact your work in other ways?

14 A. Well, I am a hard worker, and I am going to do my job,
15 but it did impact the environment that I had to work in and
16 it -- and it impacted me. So it was hard for me to work the
17 way that I know I can.

18 It was extremely hard because I instantly felt
19 like a pariah in the office. Like, we weren't -- I would go
20 in the break room, you know, everyone would leave. No more
21 doing our brows in the bathroom. Like, everybody just -- it
22 was just a different type of environment.

23 And I -- I would often have panic attacks because
24 we would get calls and people would mention it. People
25 would send it in the emails so the whole office can see the

1 terrible lies that are being told with my name blasted and
2 my mom's. And I -- you know, it was very hard. It was very
3 hard for me to remain professional and not break down, not
4 cry. It -- it really changed me. And it -- and it made it
5 very difficult for me to do my job.

6 Q. How long did that go on for?

7 A. Until it, like, came to a head, and I could not -- I
8 couldn't do it anymore. I felt like I was spiraling.
9 Like -- like, it felt like some days I was in the bathroom
10 crying most of the time. I would be late a lot by a few
11 minutes because for that three-block walk I was -- I was
12 afraid. I was afraid someone would do something to me and
13 leave me dying on the street. So I would have to just wait
14 until I would see someone familiar that I knew was going to
15 my building. And once they parked and paid for parking, I
16 would kind of get out and, you know, walk behind them.

17 It was embarrassing. I was often embarrassed
18 when, you know, the office listens to the commissioner's
19 meeting, like we always do, we're interested in what's going
20 on, and there are lines of people repeating the same thing,
21 like, you know: Why is Shaye' not fired? Where is Ruby?

22 And it was so embarrassing because everyone is
23 playing it at their cubicle, so you, like, hear it in, like,
24 this robot, you know, unison. And, you know, get the looks
25 and -- and it's a big building. A lot of -- a lot of

1 departments are there, like, 9-1-1 is there, the property
2 tax, the -- the tag office, vital records. And I have been
3 there for years, everybody knows Shaye'. I was kind of, you
4 know, an outgoing, like, bubbly person. So it just was so
5 embarrassing. It was so embarrassing, and -- and I couldn't
6 handle it. I couldn't take it. And I just had to -- I had
7 to leave because that's not how I want to -- I couldn't do
8 my job like that. I couldn't help anybody. I had to figure
9 out how I could help myself.

10 Q. Before you left your job while this is all going on, did
11 you consider applying for other jobs?

12 A. Yes. You know, I -- I did not want to leave and just be
13 stuck. You know, I still have a child to raise. I figured
14 maybe if I get out of that environment where I don't have to
15 hear about voting or election or fraud or any of that ever,
16 that it would be better.

17 So I -- I know someone that was hired for
18 Chick-fil-A, working corporate, in the corporate office; and
19 the salary was -- it was similar, it was a little less than
20 ours, but it was very similar. So I -- I applied.

21 Q. Tell us about that interview. I'm sorry. Did you have
22 an interview?

23 A. Um-hum. Yes. I did get an interview.

24 Q. Tell us about it.

25 A. Well, the interview was in the middle of the day. So I

1 went to work, and I used my vacation leave for a couple
2 hours in the middle of the day so I can go to the
3 Chick-fil-A about ten minutes from the office. And the
4 interview -- when I got there, that location was closed, and
5 it was a lot of Chick-fil-A employees giving interviews all
6 around the restaurant. We were just in there. So I was
7 dressed up. I had my notebook with my resumes, and I was
8 excited. I was ready.

9 And I had an interview. It was a great interview.
10 During that interview I realized that, you know, since I do
11 not have any type of restaurant skills or anything like
12 that, that I basically -- I am going to have to hit the
13 fries or get on the front counter. And I had made it up in
14 my mind that I will. I mean, this is the -- this is what I
15 have to do. I am just going to have to start at the bottom
16 making, you know, minimum wage. And if I can work my way up
17 there at registration, I can work my way up here. And I was
18 motivated.

19 Then when the interview came to a close, the --
20 the guy interviewing me turned his laptop around and was --
21 showed me an article of me, my face plastered on it,
22 "fraud," big letters, and the video that's been going
23 around. And he was like: Well, you know, and the last
24 question, tell me about this. Is this you? Is this true?
25 Can I -- I need to know what's -- what's going on. And we

1 do a Google background search of everyone and all of this
2 stuff.

3 And it kind of just like -- the more he was
4 talking, the more I really -- I just tuned it out, and I was
5 so shocked. I was so embarrassed. Now my heart is racing
6 and I am in fear because other people can hear you. We're
7 not in here alone, and -- and I just had to leave. I just
8 left. And I went back to registration and -- and continued
9 to work, was all I could do.

10 Q. What year was that?

11 A. 2021.

12 Q. Ms. Moss, I just want to come back to one point, which
13 is: You said you left your job in April of 2022?

14 A. Yes, sir.

15 Q. And about how much money were you making when you left?

16 A. Before taxes, it was, like, between 34, 36,000 a year.

17 Q. And, Ms. Moss, we've talked about how this impacted your
18 job, your career. I want to talk about how it impacted you
19 personally and on an emotional level.

20 Did this impact you on an emotional level?

21 A. Yes.

22 Q. Ms. Moss, where did you grow up?

23 A. I grew up in the Metro Atlanta area.

24 MR. LANGFORD: Your Honor, I would like to pull up
25 a demonstrative that the defendant does not object to. This

1 is a family photo.

2 THE COURT: All right. Do you have an exhibit
3 number for it?

4 MR. LANGFORD: We are not going to admit this into
5 evidence. This is just to show the jury -- we can add to
6 our exhibit list and --

7 THE COURT: If something is shown to the jury, it
8 has to be admitted --

9 MR. LANGFORD: Yes, Your Honor.

10 THE COURT: -- if it's something like this. So
11 why not admit it?

12 MR. LANGFORD: We can admit it, Your Honor. I
13 guess we'll have to mark this as Plaintiffs' Exhibit 604.

14 THE COURT: All right. And, Mr. Sibley, do you
15 have any objection to marking it?

16 MR. SIBLEY: Of course not, Your Honor.

17 THE COURT: All right. I would like the record to
18 be complete.

19 MR. LANGFORD: Yes, your Honor. We were just
20 trying to be careful with family photos is all.

21 THE COURT: 604 is admitted.

22 MR. LANGFORD: May we publish this to the jury?

23 THE COURT: Yes. It's published.

24 (Plaintiffs' Exhibit 604 admitted and published.)

25 BY MR. LANGFORD:

1 Q. Ms. Moss, do you recognize this photo?

2 A. Yes.

3 Q. Who is pictured here?

4 A. My mom and my daddy.

5 MR. LANGFORD: We can leave that up for a minute.

6 BY MR. LANGFORD:

7 Q. What was it like growing up in Georgia?

8 A. It was wonderful growing up in Georgia. We have a -- a
9 lot of history there, so there is a lot of festivals and
10 events surrounding that. It was nice. It's somewhere we
11 get all four seasons. We're very big on the -- the
12 different sports teams around Georgia. Like, my family are
13 die-hard Braves fans and Falcons fans. And I -- I -- I
14 loved growing up in Georgia. It's a big sense of community,
15 a lot of down-home cooking, just perfect southern life.

16 MR. LANGFORD: Okay. We can take down that
17 exhibit.

18 BY MR. LANGFORD:

19 Q. Ms. Moss, what was high school like?

20 A. High school was kind of rough for me, just a little bit.
21 I -- I moved a lot -- well, we moved a lot during that time;
22 but other than that, high school was pretty good.

23 Q. How would you describe yourself in high school?

24 A. Silly, goofy, always trying to make people laugh. Very
25 outgoing, very -- very sociable. I remember taking a

1 picture with the Beta Club. I was not in the Beta Club, but
2 I was in the picture. I just -- I enjoyed life.

3 Q. Why were you in the picture in the Beta Club?

4 A. Because I was helping them do something, and they were
5 taking their pictures, and I was just getting in the
6 picture. I didn't know that it was going to be the picture
7 for the yearbook, and they didn't -- you know, they didn't
8 put me out, so I loved it.

9 Q. And when did you graduate from high school?

10 A. In 2002.

11 Q. And you said you went to college. What college did you
12 go to?

13 A. The Fort Valley State University.

14 Q. And what was your degree in?

15 A. Business administration.

16 Q. When did you graduate?

17 A. In 2008.

18 Q. And what was your first full-time job out of college?

19 A. At Fulton County Voter Registration and Elections
20 Office.

21 Q. So how would you describe your life before December
22 2020?

23 A. Before December 2020, my life was lit. Like -- my life
24 was great. I was always out, very sociable. I wasn't
25 afraid of going out alone. It was -- it was great. I could

1 not wait. You know, most holidays the kids are out of
2 school and we're off of work, or we have to go to work and
3 they're out of school. So I could not wait for the holidays
4 when they're at school and I'm off of work so I can have,
5 you know, a momma's day, the spa or just dinner by myself, a
6 movie by myself. Like, I -- my life was lit.

7 Q. Were you active on social media?

8 A. Yes. I was very active on Instagram. And everyone -- I
9 took a selfie, at least one every day. I am posting a
10 picture of myself every day, videos with the Snapchat
11 filter. Me and my coworkers, you know, all the time. I
12 was -- I was active on Instagram.

13 Q. Were you anxious?

14 A. Anxious? No, not at all.

15 Q. You said -- did you have panic attacks?

16 A. No. Never.

17 Q. Trouble sleeping?

18 A. No.

19 Q. Did that all change?

20 A. Yes.

21 Q. And how did it change?

22 A. It changed because I now am very anxious. I have, like,
23 these nonstop anxious sweats. I have a lot of dark moments.
24 I no longer go out. I -- I will not be caught out anywhere
25 alone, ever. Like, a hermit crab now. I don't do anything.

1 Obviously I look totally different than the pictures before
2 because I have gained, like, 70 pounds. I realized that I
3 stress eat and I cry a lot, and I am just this whole new
4 messed-up person.

5 Q. When you say you don't go out, does that include with
6 your family?

7 A. Definitely not. I don't want anyone to see my mom and I
8 together. And they're going to recognize us, like they
9 have. I don't want that for her or myself.

10 Q. Do you still use social media?

11 A. No. No. Unh-unh. I -- I -- like, I still post and
12 things like that, but after that blond hair, all you are
13 going to see on my Instagram is pictures of my two-year-old
14 kitty, Darius, or my five-month-old kitten, Emilio. That's
15 it.

16 Q. Why did all of that change?

17 A. Because people are messaging me, calling, texting,
18 online saying that I need to die, they're going to kill me,
19 they want to kill my mom, they know where we are, they know
20 where we sleep, and we should die.

21 Q. Ms. Moss, were you scared?

22 A. Yes. Extremely scared. I am always scared. I -- yeah.
23 I am not that fearless person anymore. I am -- I am always
24 afraid, and I don't trust anybody. I think everybody --
25 because I don't know who they are. Like, we don't separate

1 them by color things, or this. It can be anybody, look just
2 like me, that loves the people that spread lies about me and
3 they want to harm me. So I don't -- I don't trust anyone.
4 I don't -- I am not going nowhere.

5 Q. What are you most scared of?

6 A. I am most scared of my son finding me and/or my mom
7 hanging in front of our house in a tree or, like, having to
8 get news at school that his momma was killed; that's what I
9 am most afraid of.

10 I'm sorry.

11 Q. Did this all change your relationship with your friends?

12 A. Yes. Yes.

13 THE COURT: Why don't you just take a minute.

14 THE WITNESS: I'm sorry.

15 Yes, sir. It changed my relationship with all my
16 friends. All of my friends before December 3, 2020, are no
17 longer around. I just pushed them away, and some of them
18 just stayed away. I -- I don't want to cause anybody any
19 harm. I don't want to have my picture taken and someone is
20 with me, and now they want to harm them. Like, I just had
21 to -- I had to remove myself from everything.

22 Like, my ten-year -- over ten-year relationship,
23 like, I just -- I just had to block him. I just had to -- I
24 don't want nobody to feel how I feel and go through what I
25 go through every day, so I just, you know, cut everybody

1 off. I pushed everybody away. I just secluded myself.

2 BY MR. LANGFORD:

3 Q. And when you secluded yourself, what were you doing?

4 A. Looking at all the messages. Looking at the comments
5 from the different TV shows that were aired speaking about
6 me and my mom, reading them. I would read the messages. I
7 would try to -- and I would get so down and out from -- from
8 all of the negative stuff so I would order me something,
9 like -- I am going to order a platter from Red Lobster, it
10 will make me feel better. And -- and then I will overeat,
11 and I will fall asleep, and I will have nightmares, and I
12 wake up thinking about it.

13 And now I'm looking at it again, to see maybe if
14 somebody, one person has changed their mind, has realized,
15 like, the truth, you know, stood up for me. Like, all of
16 the people that I work with, everybody who does this job,
17 like, know if you on the election that nothing that was said
18 makes sense, zero, it's -- it's -- it's impossible. And I
19 just was on a -- on, like, this pattern of cry, eat, sleep,
20 cry, eat, sleep. Like, just stuck.

21 Q. Did you go outside?

22 A. No. I don't even walk my dog. No. Not going outside.

23 Q. You said you were having nightmares?

24 A. Yes.

25 Q. What was your worst nightmare?

1 A. My worst nightmare was that I would open my door to,
2 like, go to work and it would be a crowd, like the crowd
3 that was in my mom's house or the crowd that was at my
4 grandmother's house looking for me. It would be a crowd at
5 my door with nooses and, like -- and my dreams, like, they
6 had pitchforks and signs and the sticks with fire on the
7 end, like, just they're -- they're going to get me, they're
8 going to get me. And in my dream it was, like, political
9 people wanting to get me, officers, like, people in power,
10 and mayors, and, like -- and they have that right, that's
11 how -- in my dream it was they could do that because of who
12 they are; I am a nobody.

13 Q. Did you ever seek treatment for what you were going
14 through?

15 A. Yes, I did.

16 Q. When did you first seek treatment?

17 A. In 2021, in -- around June.

18 Q. Why did you wait until the summer of 2021?

19 A. Because I -- I never grew up or never been around anyone
20 who goes to therapy. It's something you see people on TV
21 do. Like, I just couldn't relate to that.

22 You know, when I would talk to people in my
23 community or my -- or family, that was not the go-to.
24 That -- I wasn't raised that way, so I was not sure about
25 it. I didn't know how it works. I didn't know what to

1 expect. So it took for me to be at a point where I felt
2 like -- there is nothing else that I could do, I have -- I
3 have to try. What -- what do you have to lose? Like,
4 something has got to change.

5 Q. You said that was in the summer of 2021?

6 A. Yes.

7 Q. Were you diagnosed with anything?

8 A. Acute stress disorder, yeah.

9 Q. And tell us about that appointment.

10 A. Well, that appointment -- like I said, it was my first
11 time. I didn't know what to expect, except for what I seen
12 on TV.

13 And basically, when I got there, the lady asked
14 me: Well, why are you here today? How -- what could we do
15 for you today?

16 And it was such a, like, broad question that I --
17 I unloaded everything on this -- on this poor lady. I told
18 her everything, all the lies, everything that's been
19 happening with my mom, with my child, my grandson [sic], at
20 my job, all my feelings, all my night- -- I told her
21 everything. And just the look of shock on her face, the
22 look of, like, disbelief, it -- it kind of scared me. I
23 felt bad that I -- I had to unleash all of this on this
24 lady. And I'm like, she's probably going to be, like,
25 messed up like how I am from -- from hearing all of this and

1 going through this.

2 And I just -- I just said to myself: Oh -- oh,
3 no. I -- I am not doing that anymore. I -- I never want to
4 have to just put everything out. I -- I did not like the
5 way it feel. I -- yeah. I felt bad for even having to
6 release that on -- on the therapist.

7 Q. Did you ever seek treatment again?

8 A. I did eventually. It was -- it was a long time -- it
9 was a long time after that, like -- like September of 2022,
10 is I think when I went back.

11 Q. And did that appointment result in a diagnosis?

12 A. Yes. It was worse then. They diagnosed me with major
13 depressive disorder with acute distress.

14 Q. Do you continue to struggle with these issues?

15 A. What did you say?

16 Q. Do you continue to struggle with these issues?

17 A. Yes.

18 Q. Are you seeing anyone now?

19 A. Yes.

20 Q. Are you still suffering from major depressive disorder?

21 A. Yes.

22 Q. Do you think you will ever be able to stop going to
23 counseling?

24 A. I don't know. My therapist says that it is okay not to
25 be okay. Nothing will happen overnight. Everything takes

1 baby steps; it's going to take hard work. So I don't know
2 if I will -- I'll be in therapy forever. I mean, I hope
3 not, I pray not.

4 Q. Ms. Moss, we've talked about how this impacted your
5 career and your emotional and mental health.

6 What about your family?

7 A. Yes. It has had a very negative impact on my mom, my
8 grandmom, and my son.

9 Q. I want to talk about them. So how did it impact your
10 grandmom?

11 A. Well, it impacted my grandmom because people started to
12 send pizzas to her home, like, a lot of pizzas from, like,
13 every pizza company in the area. And they would show up,
14 one after the other, and, like, they would have things,
15 like, the pizza is for "Ms. Nig," last name "Ro." And --
16 and just really nasty toppings, and racist type of names.

17 And they would go to her door, one after the other
18 after the other and wanted her to pay for these pizzas that
19 these people have ordered and sent to my home -- my
20 grandmother's home, that's -- that's where I lived forever.

21 And, you know, even after all of the negative
22 stuff with the pizzas and them trying to have her pay for
23 all of these things, people literally came to her -- oh,
24 Lord. People literally came to her doorstep -- like I said,
25 she's a little old sweet lady. She has this little diamond

1 type of window at the top of her door where you can see out.
2 I can see out, but she's like five-foot tall, she can't see
3 out. So she just opens the door for everybody, just opens
4 the door.

5 And she called me distraught. I learned that
6 people come to her home saying that they know that I am
7 there, they have the right to come in and arrest me, I have
8 committed fraud and treason and -- you know, I actually had
9 to just -- I called the police. I called the police for
10 her. She's screaming on the phone: Shaye', Shaye', what's
11 going on? Shaye'.

12 Like, freaking me out. Never heard her sound like
13 that. She's the strongest woman I know. And I had to
14 learn -- I had to call the police. And -- and they came
15 back again. But the second time she did not open the door.
16 She would just talk to them through the door. You know:
17 Shaye' is not here, go away.

18 It -- it impacted her. I felt -- I felt bad. My
19 grandmother has lived through all of this racist crap. I
20 mean, we're from Georgia. You know, there's -- there's
21 still miles and miles of cotton fields as we're traveling to
22 the beach in Florida. Like, it -- it is a part of -- it's
23 history, but I -- I just felt bad she had to go through
24 this.

25 Like, she's told me about when she took my mom to

1 see *Mary Poppins* in the movie theaters as a little girl, and
2 how they had to go through the back, and people were sitting
3 on them and throwing drinks and throwing popcorn, and they
4 had to sit strong and -- just watch the movie and held their
5 heads up high. And I feel like, man, how did my job, me
6 trying to just do my job, bring this to her door? Yeah. It
7 impacted my grandma in a major way.

8 Q. Ms. Moss, just so we're clear, when did all of that
9 happen?

10 A. That happened in 2021, like, on New Year's Day.

11 Q. What happened on New Year's Day? Which of those
12 happened?

13 A. When they came to her home, trying to make a citizen's
14 arrest.

15 Q. And the pizzas were --

16 A. Like, the days after. Like, within -- within the week.
17 Within the week before, you know, days before, days after,
18 in that time.

19 Q. Days after of January 1, 2021?

20 A. Yeah. Yes.

21 Q. The jury will hear from your mom, so let's turn to your
22 son.

23 Before we talk about that, could you tell us just
24 a very little bit about him, introduce him.

25 A. Well, at that time my son was 14. He was getting ready

1 to start high school. He is a very outgoing, sweet -- and
2 sweet kid. He loves video games, and he is a bookworm. He
3 loves to read. He reads -- I hope you don't get mad at me.
4 I think it's -- he read these books called *Mongols*. And
5 he's great. He is, like -- he is, like, my little best
6 friend. He is -- he is really a good kid.

7 MR. LANGFORD: Your Honor, I would like to mark
8 for identification Plaintiffs' Exhibit 605 -- I'm sorry,
9 606.

10 Assuming there is no objection to this.

11 MR. SIBLEY: No.

12 THE COURT: Hearing no objection, 606 will be
13 admitted.

14 (Plaintiffs' Exhibit 606 admitted.)

15 MR. LANGFORD: I would like to publish this to the
16 jury.

17 THE COURT: And it may be published.

18 (Whereupon, an exhibit was published.)

19 BY MR. LANGFORD:

20 Q. Ms. Moss, do you recognize this photo?

21 A. Yes.

22 Q. Who is pictured here?

23 A. My mommy and my baby.

24 Q. Remind us how old he was on December -- in December
25 2020?

1 A. In December 2020, he was 14.

2 Q. And how old is he here?

3 A. I think he was about seven. He is seven years old in
4 this picture.

5 Q. Was he in school in December 2020?

6 A. Yes. In December 2020 it was the ending of his first
7 semesters of 9th grade, and all the kids were virtual.

8 Q. How was school going that year?

9 A. School was going -- going pretty good. He has never
10 been like a straight-A student, but he was maintaining good
11 grades.

12 Q. Were things different -- was that the year of the COVID
13 pandemic?

14 A. Right, um-hum, yes.

15 Q. When everyone was remote?

16 A. Correct.

17 Q. So was anything different about that year for him?

18 A. Yes. It was -- it was kind of difficulty being that it
19 was his first year in high school, that mean it's his first
20 year with multiple teachers -- you know, and big school. So
21 it was different because he had to, like, instantly figure
22 out how to use this Chromebook, you know, and go to every
23 class and do everything he needed to do while momma was
24 working 7:00 to 7:00, seven days a week.

25 Q. How was he connecting to the internet?

1 A. Well, unfortunately, I could not afford Wi-Fi. So his
2 phone had a -- the hot spot, and he would use the hot spot
3 from his cell phone in order to use the Chromebook to go to
4 class.

5 Q. Whose phone was that?

6 A. It was my old phone.

7 Q. So you said things were going well up until December
8 2020. Did that change?

9 A. Yes. For my son it did. Yes, it changed.

10 At that time he had my old cell phone because he
11 needed a phone now. You know, he just turned 14 in August.
12 He is going to be at home all day, every day, like, by
13 himself, and I need to check on him and he needed a way to
14 go to class. So he had the phone, but once the lies and all
15 the things were spread about us, the people found my phone
16 number, which was now his phone. So they constantly called
17 him, they constantly messaged, it would knock him out of the
18 class, and the teacher would not let you back in, you know,
19 you can't keep coming out, in and out, in and out the Zoom.
20 And his grades started to -- started to decline.

21 Around December 4th, through, like, the 15th, that
22 is the time -- even now, right now, that's the time when the
23 kids take finals. You know, it's the end of the semester.
24 So it's very important that you -- you take those finals,
25 and that was around the time when he couldn't even stay in

1 class because of all of the calls.

2 Q. What date did he start receiving messages?

3 A. On December 3rd.

4 Q. How did you find out?

5 A. I found out because when I got off of work on
6 December 4th, as I was engulfed in all of the lies and
7 messages and, you know, comments on the post, I was very
8 emotional. I was talking to my best friend at the time.
9 And after I got off the phone, he came in the room because
10 he heard me crying and was saying, you know: What's --
11 what's wrong? What's going on?

12 And unfortunately, I had to -- it was -- I had to
13 tell him. I had to explain that, you know -- I try to do it
14 the momma way, and, you know, people aren't happy with the
15 outcome of the election and they're just upset right now and
16 they're saying a lot of mean things, and they just don't
17 know how an election is ran. And this will -- you know,
18 this will go away, it won't last forever.

19 And that's when he said: Is that why people been
20 calling me all day and all last night?

21 He woke up to all of these messages and all of
22 this. And I just immediately took his phone and started to
23 look at that stuff.

24 Q. Did you listen to some of those messages?

25 A. Unfortunately, we listened to them together. I just --

1 I wasn't -- I guess I wasn't thinking it would be that --
2 like that. I wasn't prepared, and I pressed play, and yes,
3 we listened to the messages.

4 MR. LANGFORD: Your Honor, Plaintiffs'
5 Exhibits 270, 275, and 278 have all been admitted into
6 evidence.

7 THE COURTROOM DEPUTY: Yes.

8 THE COURT: And they may be published.

9 MR. LANGFORD: Thank you, Your Honor.

10 Mr. Spalding, can you please play Plaintiffs'
11 Exhibit 270.

12 (Whereupon, an exhibit was published.)

13 BY MR. LANGFORD:

14 Q. Ms. Moss, do you remember hearing that message that
15 night?

16 A. Yes, sir.

17 MR. LANGFORD: Mr. Spalding, can you please play
18 Plaintiffs' Exhibit 275.

19 (Whereupon, an exhibit was published.)

20 BY MR. LANGFORD:

21 Q. Do you remember hearing that message that night?

22 A. Yes.

23 MR. LANGFORD: Could you please play Exhibit 278.

24 (Whereupon, an exhibit was published.)

25 BY MR. LANGFORD:

1 Q. Do you remember hearing that message that night?

2 A. Yes.

3 Q. Did the messages continue after that?

4 A. Yes.

5 Q. People ever call more than once?

6 A. Definitely. Yes.

7 Q. Did you listen to some of those messages?

8 A. Yes, sir.

9 MR. LANGFORD: Your Honor, Plaintiffs' Exhibit 381
10 and 382 have also been submitted into evidence.

11 THE COURT: They may be published.

12 MR. LANGFORD: Mr. Spalding, can you please pay
13 Plaintiffs' Exhibit 381.

14 (Whereupon, an exhibit was published.)

15 BY MR. LANGFORD:

16 Q. That was a January 16, 2021, message. Do you remember
17 that?

18 A. Yes.

19 MR. LANGFORD: Mr. Spalding, can you now play
20 Plaintiffs' Exhibit 382.

21 (Whereupon, an exhibit was published.)

22 BY MR. LANGFORD:

23 Q. That was another January 16, 2021, message. Do you
24 remember that?

25 A. Yes.

1 Q. Did this stuff impact your son at school?

2 A. Yes. He is a boy, so I believe their instinct is to try
3 to protect their mom, and he didn't tell me that, you know,
4 it was making it extremely difficult for class, and, like --
5 he didn't mention it at all, so I am thinking it -- you
6 know, it wasn't that bad, something that we can handle. But
7 at the finals, when grades came out, he failed every class
8 in the 9th grade.

9 Q. How do you feel about what happened to him?

10 A. He didn't deserve that. He -- he did not have to -- I
11 felt bad. You know, I just had to -- I had to talk to him.
12 I had to let him know -- because he -- he didn't understand,
13 like -- he knows mom has worked in election forever. It's
14 just him and I, so I talk to him about everything.

15 And I have had many elections where we have to do
16 recounts. Most elections, the county just wanted a recount,
17 but he -- he didn't understand how the two tie in together,
18 how we go from -- you want a recount, you are not satisfied
19 with the election to now you all kind of N-words and you and
20 your momma need to hang. Like, I had to -- I had to tell
21 him, like, racism is real. And, you know, it comes out.
22 And it was just -- I can't even describe it. I felt like --
23 like the worst mom ever to allow him to have to hear this,
24 have to experience this day after day after day. Now he's a
25 kid that, he don't even want social media. It's unfair.

1 Q. Is it important to you to be a good mom?

2 A. It's extremely important to me. My family is so small,
3 and it's all I know, are good moms. You know, grandmother,
4 she is a great mom; she has five kids. My mom was the
5 oldest. And out of every one, my mom was the only one to
6 have a child, and she only had me. So, of course, I want to
7 follow in my mom's footsteps, my grandmom footsteps, my
8 great-grandmom footsteps.

9 My grandmother and her sister are college
10 graduates. You know, I just -- it's very important to me
11 and my legacy and my family.

12 Q. And how do you feel about what happened to your
13 grandmother and your mom?

14 A. I feel like it's my fault, maybe if I would have just
15 been satisfied with working in the mail room, being a temp
16 worker then nothing -- didn't move up, stay where you at,
17 stay where you quiet, you know, don't want nothing more than
18 that, then maybe it would not have happened to me.

19 Q. Ms. Moss, did you hear Mr. Giuliani's attorney yesterday
20 when he said in his opening that he is sorry about what
21 happened to you?

22 A. Yes, I did.

23 Q. Did you hear him say that you and your mom are good
24 people?

25 A. Yes.

1 Q. Has Mr. Giuliani ever apologized to you?

2 A. No.

3 Q. Is Mr. Giuliani still spreading lies about you?

4 A. Yes. He was just spreading lies about us last night.

5 MR. SIBLEY: Your Honor, I object. This is --

6 THE COURT: Overruled.

7 MR. SIBLEY: -- it violates the Court's limine --

8 but okay.

9 BY MR. LANGFORD:

10 Q. What do you mean he was spreading lies about you last
11 night?

12 A. He said --

13 MR. SIBLEY: I would like permission to voir dire
14 the witness, Your Honor. How does she --

15 THE COURT: Why don't we just pick up the phones.

16 (A bench conference was held as follows:)

17 THE COURT: All right. From plaintiffs' counsel,
18 how much longer do you have?

19 MR. LANGFORD: Your Honor, about five to ten
20 minutes.

21 THE COURT: Okay. So I want to finish her up
22 before lunch.

23 Okay. So, Mr. Sibley, I will hear from you.

24 MR. SIBLEY: Okay. So this is not a claim that
25 was made in the case, and it's liable to open the door to

1 the thing you told the jury not to do, which is not to look
2 up press coverage from this case.

3 How is it not unduly prejudicial? She doesn't
4 have personal knowledge. She didn't hear him say it.

5 THE COURT: Well, she can talk about -- this all
6 goes, to my mind, to punitive damages in this case and how
7 this is continuing. And even though the -- it was in the
8 press, it doesn't have to be disclosed that it came in the
9 press.

10 If you want to inquire how she found out about it,
11 you can, but I don't think plaintiffs' counsel is going to
12 do that. If you want him to establish a foundation and then
13 talk about how Mr. Giuliani admitted that he made the
14 statements this morning before the jury came in, you can
15 have the plaintiffs' counsel establish all of that
16 foundation, if that is the nature of your objection,
17 Mr. Sibley; but I think where plaintiffs' counsel is going
18 is she's going to summarize what he said. And given his
19 admission in Court this morning that he said it, I think she
20 can say that.

21 It establishes for punitive damages purposes how
22 he continues to make defamatory statements; and so that
23 explains why her emotional distress continues to today. So
24 it goes not just to punitive damages but the emotional
25 distress she continues to suffer.

1 MR. SIBLEY: So, Your Honor, I would say there is
2 no nonhearsay basis. And to the extent the Court is using
3 this morning's proceeding to -- which cited alleged
4 statements made from Her Honor's mouth -- I don't know what
5 they were exactly, how they were recited. We don't have a
6 paper document for that. But I just -- again, Your Honor,
7 we'd note the objection. It's unduly prejudicial for the
8 reasons we stated.

9 THE COURT: And why would it be unduly
10 prejudicial, because he is continuing to make the statements
11 today?

12 MR. SIBLEY: Because it's --

13 THE COURT: Last night, as of last night?

14 MR. SIBLEY: Because the source of the knowledge
15 is the proceedings before the jury had come out, where Her
16 Honor --

17 MR. LANGFORD: They're accurate, Your Honor.

18 THE COURT: And how are you planning on presenting
19 this?

20 MR. LANGFORD: It was going to be just a quick
21 question, Your Honor. There wasn't going to be much.

22 THE COURT: Okay. The objection is overruled.
23 (Whereupon, the bench conference concludes.)

24 THE COURT: Proceed.

25 MR. LANGFORD: Thank you, Your Honor.

1 BY MR. LANGFORD:

2 Q. You said the last time he spread lies about you was last
3 night. What do you mean?

4 A. Last night after court, Mr. Giuliani exited the
5 courtroom and told a reporter that he does not regret
6 anything he has done to us because he is telling the truth
7 that we changed votes.

8 Q. How did you find out about that?

9 A. Well, when we walked into our hotel, there was a huge TV
10 right there with -- it was right there, it was on the TV.
11 And I tried not to look, walked towards the elevator, looked
12 to the left where the bar and restaurant -- it was another
13 TV.

14 So by the time I got to my room, I am like, what
15 in the world? What did he say? Like, I'm thinking maybe he
16 finally for once had something good, but -- yeah, I saw it
17 online, the interview that he did with -- I think Mr. Moran
18 or something. And that's what he said. That's how he
19 feels.

20 Q. Are you still impacted by all of this today?

21 A. Yes. Very much so.

22 Q. How?

23 A. In different ways. In different ways. I could, you
24 know, give examples. Like, for one, I live in a
25 neighborhood where you have to turn off the main street onto

1 another street and then turn into my subdivision, and then
2 there is a lot of turns to get to my home, which is in the
3 back of the subdivision.

4 And most of the times, almost every day, almost --
5 when I'm picking up my son, we're going to school, if
6 somebody turns from that main street onto the street and
7 then they'll make another turn, like behind me, I see them
8 making a turn when I make a turn, and then they'll make a
9 turn into my neighborhood, once I am in my neighborhood if
10 they make two more turns, the same turn that I am making, I
11 am pulling over, putting the car in park, and I'm stopping.
12 My heart is racing, my son is like: They're not following
13 us, we're fine. But I know -- I don't know, I feel like I
14 am being followed all the time.

15 Like, when I go and get my nails done, I have to
16 be your last client. Like, I don't want anyone else in
17 here. I had to leave my other nail shop that I have been
18 going to since before college because they have TVs all on
19 different stations. And, you know, so I have to go, like,
20 this new one, like, 50 minutes away. When I get my hair
21 braided down, I need to be your last client. I don't want
22 anybody in there. You know, so it's difficult.

23 Like, I go to my son's football game, and I make
24 sure I have people around me. Like, now he's in his senior
25 year, because of everything that's happened, you know, this

1 is his first year of being able to play football. He is on
2 a varsity team, of course. He's -- he's great on the field.
3 But I always make sure that someone is with me. You know, I
4 am human. I will get into the game and people saying like:
5 Shaye', we're about to leave.

6 And I'm like: Okay. You know, my baby is in. My
7 baby is on the field.

8 And once the game is over, I get up and walk up
9 the bleachers until this -- like, the tunnel where the
10 concession stands and the exit is. And it's, like, I just
11 have this overwhelming fear, like -- like, something is
12 about to happen right now. It's, like, my heart races so
13 bad, like it is now. And I just start sweating so badly and
14 I just -- I just feel like everybody is looking at me,
15 everybody is watching me because people -- people aren't
16 afraid to just take your picture, to just record you.

17 So I -- I had an anxiety attack, a panic attack.
18 Like, I just -- I feel myself falling towards the ground,
19 like, slowly as I'm trying to get out of there, and -- and
20 all I can see is this police officer. And I am trying my
21 best to get to the officer, and I basically, like, kind of
22 fall in her arms. And I am just crying, and I am
23 apologizing, like: I'm so sorry, but I need -- I need your
24 help. I need you to help me. I can't -- I need to just --
25 just walk me to my car, just help me.

1 And -- and that happens a lot. I don't
2 like going -- I don't like going anywhere. I don't like
3 that feeling. It's like a serious fear, like I can't
4 breathe.

5 And I made it to my car, but then it's like I am
6 crying hysterically, like -- like, I can't shake that fear.
7 So I -- so then I call different people to see who I can
8 talk to, just talk to me. And the phone will play through
9 the radio so you could just drive and just -- just have to
10 get somebody to help me through it. I have to pull over.
11 Sometimes I have to just throw up. Like, it is the worst
12 feeling, and I can't shake it.

13 Even at home, like, the depression is just -- I
14 can't -- I can't get out of the feeling that somebody is
15 going to act upon the things that they're messaging me
16 because they have never stopped. They have never -- they
17 have never stopped saying these -- these things and what
18 they're going to do.

19 Q. Did you ever have an anxiety attack before December 3,
20 2020.

21 A. No. I didn't even know what it was. I was explaining
22 what I'm going through with my therapist, and she informed
23 me that a lot of people go through that. And she told me
24 what it was; that was a panic attack. You know, she was
25 asking how much do I have them. And, you know, I am

1 learning about it while -- while going through it.

2 Q. And you said that your son's football games, you try to
3 keep people around you; is that what you testified?

4 A. Well, people with me. Like, I want to go with someone,
5 but when we go, I am not going to sit if there is, like, a
6 group of people. I want to go to a spot on the bleachers
7 where nobody is right there, like, nobody is on that whole
8 part.

9 Q. Do you still find yourself alone sometimes?

10 A. Yes. Once I am home and, you know, my son and the dog
11 goes to sleep, yeah, I find myself alone.

12 Q. What happens?

13 A. It just feels like I am trapped under somebody's boot,
14 like, of power that I can't do anything. I feel helpless.
15 I feel -- I feel like I am in a dark place and the only
16 thing that's surrounding me are the lies and conspiracies
17 that they have made up, like, that's all around me. Like, I
18 am in a slump of loneliness, sadness, and -- and negativity.

19 And I look, I know -- you know, I -- I look at
20 the -- at the things that are said to me online. I know
21 people always say, you know: I don't care what nobody
22 thinks about me.

23 That's easier said than done. I care what people
24 think about me, and what they think about the process of the
25 election, about -- about all of that. I -- I care. And so

1 I look, and I am still in that cycle of eat, sleep, cry,
2 look online, eat to make you feel better, go to sleep
3 because you ate too much, wake up, look again, cry. Sadly,
4 that's my life.

5 MR. LANGFORD: No further questions, Your Honor.

6 THE COURT: All right. We are now going to take
7 our lunch break.

8 We'll take a little bit more of a longer lunch
9 break today until two o'clock, since it's almost 12:50. So
10 thank you.

11 Do not talk about the case among yourselves or
12 with anybody else.

13 (Whereupon, the jury was excused.)

14 THE COURT: All right. The jury has until two
15 o'clock, but you all do not. We'll come back to address the
16 plaintiffs' motion in limine filed last night, say 1:30.
17 Hopefully you all are using the cafeteria's online ordering
18 system so you can eat something before that.

19 All right.

20 (Whereupon, a recess was taken.)

21 (Whereupon, the afternoon session was reported by
22 JANICE DICKMAN, and is bound under separate cover.)

23 * * * * *

24

25

<u>WITNESS</u>	<u>INDEX</u>	<u>PAGE</u>
FRANK BRAUN		20
FRANCES WATSON		22
WANDREA ArSHAYE' MOSS		25

E-X-H-I-B-I-T-S

Plaintiffs'	244	20
Plaintiffs'	279	20
Plaintiffs'	292	20
Plaintiffs'	396	20
Plaintiffs'	590	20
Plaintiffs'	27	21
Plaintiffs'	293	21
Plaintiffs'	591	21
Plaintiffs'	124	24
Plaintiffs'	168-172	24
Plaintiffs'	174	24
Plaintiffs'	176	24
Plaintiffs'	213	24
Plaintiffs'	268	24
Plaintiffs'	270	24
Plaintiffs'	382	24
Plaintiffs'	398	24
Plaintiffs'	400	24
Plaintiffs'	413	24
Plaintiffs'	498	24
Plaintiffs'	519	24
Plaintiffs'	556	24
Plaintiffs'	557	24
Plaintiffs'	560	24
Plaintiffs'	604	58
Plaintiffs'	606	71

CERTIFICATE

I, ELIZABETH SAINT-LOTH, RPR, FCRR, do hereby certify that the foregoing constitutes a true and accurate transcript of my stenographic notes, and is a full, true, and complete transcript of the proceedings to the best of my ability.

This certificate shall be considered null and void if the transcript is disassembled and/or photocopied in any manner by any party without authorization of the signatory below.

Dated this 12th day of December, 2023.

/s/ Elizabeth Saint-Loth, RPR, FCRR
Official Court Reporter